

ELLIJAY CITY HALL

APRIL 18, 2022

**WORKSHOP
5:30**

**PUBLIC HEARING
RE-ZONING REQUEST
17 BARCLAY STREET
5:45**

**REGULAR MEETING
6:00**

Call to Order

Prayer and Pledge of Allegiance

Approval of Agenda

Approval of Minutes for March Meeting

Approval of March Financial Statement

Staff Reports

Citizen Input

NEW BUSINESS

Review and Action – Re-zoning Request 17 Barclay Street

Review and Action – Local Option Sales Tax Distribution Rate

Review and Action – Special Event Permit (alcohol) Dining With Fire Flies, June 4, 2022 6:00pm to 9:00pm
Harrison Park, Applicant Linda Landcaster / Friends of Harrison Park

Review and Action – Special Event Permit (alcohol) May 7, 2022 5pm to 10pm White Path Creek Farms,
Applicant Marcelo Sandrini / Ellijay Wood Fired

Review and Action – Distilled Spirits Off Premise Consumption Ordinance

Review and Action – Distilled Spirits Off Premise Consumption Annual License Fee

Executive Session – Personnel, Pending Litigation, Land Acquisition

Adjourn

Mayors Report

- The owner of the property located at 17 Barclay Street has made application for a zoning change from GC to R-3. The Planning Commission will meet Thursday evening and a recommendation letter will be provided to you on Monday.
- A representative from Shepherds Loft will be at Monday's workshop at 5:30 for a brief discussion about the website.
- Every ten years in conjunction with the US Census, cities and counties collecting local option sales tax are required to re-negotiate the distribution rate. The County Commissioners have graciously agreed to increase the City's portion from 16% to 17%. A letter from Commission Chairman Paris is included in your packet. Action is needed to approve the distribution rate.
- Linda Lancaster/Friends of Harrison Park has made application for a Special Event Permit for June 4, 2022 at Harrison Park. All requirements have been met.
- Marcelo Sandrini/ Ellijay Wood Fired has made application for a Special Event Permit for May 7, 2022 at White Path Creek Farms. All requirements have been met.
- Per discussion at last months meeting the Off Premise Consumption Ordinance for Distilled Spirits is back on the agenda along with the Annual License Fee. Per your request, below is a list of off premise consumption distilled spirits annual license fees for other cities in our region:

East Ellijay - \$3500

Jasper - \$3000

Calhoun - \$5000

Helen - \$5000

Dalton - \$5000

Clayton - \$5000

**City of Ellijay
March 21, 2022**

**Workshop
5:30 PM - 6:00 PM**

**Regular Meeting
6:00 PM**

Council Meeting Called to Order:

Welcome - Mayor Al Hoyle welcomed everyone to the meeting.
Prayer- Prayer was given by Al Fuller
Pledge- Mayor Hoyle led the Pledge of Allegiance.

Attendance:

Al Hoyle, Mayor - Present
Sandy Ott, Mayor Pro-Tem - Present
Tom Crawford, Councilmember - Present
Al Fuller, Councilmember - Present
Kevin Pritchett, Councilmember - Present
Katie Lancey, Councilmember-Present
Kayann Hayden West, City Attorney - Present
Edward Lacey, Police Chief - Present
Sam West, Fire Chief - Present
Lori Pierce, City Clerk-Present
Andrew Mathis, Code Enforcement - Present

Approval of Agenda:

Mayor Pro Tem Sandy Ott made a motion to approve the March 21, 2022 agenda.
Councilmember Tom Crawford seconded the motion. All approved.

Approval of Minutes:

Councilmember Tom Crawford made a motion to approve the minutes for the February meeting. Councilmember Katie Lancey seconded the motion. All approved.

Approval of Financial Statements:

Councilmember Kevin Pritchett made a motion to approve the February Financial Statement. Councilmember Tom Crawford seconded the motion. All approved.

Staff Reports:

Fire Department- nothing to add to previously provided report
Police Department - Police Chief Edward Lacey presented the Service Award and the Life Saving Metal to Officer Austin McArthur and the Life Saving Metal to Officer Trevor McClure.
Code Enforcement- nothing to add to previously provided report.

Citizen Input:

Unfinished Business:

None

New Business:

Review and Action: City Website Proposal - Councilmember Katie Lancey made a motion to approve the City Website Proposal of \$4500.00 set up fee and \$166.00 monthly fee. Councilmember Al Fuller seconded the motion. All approved.

Review and Action: Special Event Permit (alcohol) Music in the Park on 05/13/22 at 6:00 PM to 9:00 PM Licensee Lisa Salman / Friends of Harrison Park - Councilmember Katie Lancey made a motion to approve the Special Event Permit (alcohol) Music in the Park on 05/13/2022 at 6:00 PM-9:00 PM Licensee Lisa Salman/Friends of Harrison Park. Councilmember Kevin Pritchett seconded the motion. All approved.

Review and Action: Distilled Spirits Off Premise Consumption Ordinance- Councilmember Tom Crawford made a motion to table the Distilled Spirits Off Premise Consumption Ordinance. Councilmember Al Fuller seconded the motion. All approved.

Executive Session: Personnel, Land Acquisition, Pending Litigation.

Councilmember Kevin Pritchett motioned to go into executive session at 6:20 PM for pending personnel action, land acquisition, and/or pending litigation. Councilmember Al Fuller seconded the motion. All Approved.

Councilmember Katie Lancey motioned to go out of executive session and back in to regular session at 6:27 PM. Councilmember Al Fuller seconded the motion. All Approved.

Adjourn:

Councilmember Al Fuller made a motion to adjourn at 6:40 PM. Councilmember Tom Crawford seconded the motion. All Approved.

Lori Pierce/City Clerk

City of Ellijay
Statement of Revenue and Expenditures
Revised Budget
For General Fund (100)
For the Fiscal Period 2022-3 Ending March 31, 2022

Account Number		Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
Revenues						
100-0000-00-311100	Real Property Taxes-Current	\$ 0.00	\$ 7,740.71	\$ 198,361.47	\$ 92,648.50	53.29%
100-0000-00-311110	Public Utilities Tax	0.00	0.00	23,000.00	0.00	100.00%
100-0000-00-311200	Real Property Tax-Prior Years	0.00	45.60	0.00	131.68	0.00%
100-0000-00-311300	Personal Property Tax-Current	0.00	0.00	57,310.88	19.59	99.97%
100-0000-00-311310	Motor Vehicle Tax	0.00	348.17	10,000.00	788.44	92.12%
100-0000-00-311315	TAVT Tax	0.00	4,542.25	50,000.00	15,096.73	69.81%
100-0000-00-311320	Mobile Home Tax	0.00	69.49	1,000.00	120.29	87.97%
100-0000-00-311400	Personal Property-Delinquent	0.00	0.00	1,000.00	0.00	100.00%
100-0000-00-311600	Intangible Tax	0.00	1,205.44	15,000.00	2,611.49	82.59%
100-0000-00-311700	Franchise Tax	0.00	5,852.73	260,000.00	283,118.31	(8.89%)
100-0000-00-311910	Pen/Int-Real Property	0.00	0.00	1,000.00	0.00	100.00%
100-0000-00-313100	Local Option Sales Tax	0.00	89,287.45	950,000.00	287,502.93	69.74%
100-0000-00-314200	Alcohol Tax	0.00	9,984.21	100,000.00	29,224.64	70.78%
100-0000-00-316200	Insurance Premium Tax	0.00	0.00	120,000.00	0.00	100.00%
100-0000-00-316300	Financial Institution Tax	0.00	40,481.66	13,000.00	40,481.66	(211.40%)
100-0000-00-316400	Transfer Tax Collections	0.00	639.71	10,000.00	2,398.39	76.02%
100-0000-00-319120	Pen/Int-Personal Property	0.00	0.00	250.00	0.00	100.00%
100-0000-00-319400	Collection Fees	0.00	0.00	160.00	0.00	100.00%
100-0000-00-319500	FI Fa	0.00	0.00	300.00	0.00	100.00%
100-0000-00-321110	Licenses-Beer/Wine	0.00	0.00	16,500.00	0.00	100.00%
100-0000-00-321111	Game Machines	0.00	20.00	200.00	20.00	90.00%
100-0000-00-321125	Licenses - Wine Tasting Room	0.00	0.00	1,000.00	650.00	35.00%
100-0000-00-321130	Licenses - Distilled Spirits	0.00	0.00	7,000.00	0.00	100.00%
100-0000-00-321131	Brewery	0.00	0.00	1,000.00	1,100.00	(10.00%)
100-0000-00-321400	General Business Licenses	0.00	1,925.00	50,000.00	9,550.00	80.90%
100-0000-00-321410	Real Estate Licenses	0.00	0.00	1,000.00	0.00	100.00%
100-0000-00-321420	Insurance Licenses	0.00	450.00	8,000.00	6,000.00	25.00%
100-0000-00-322100	Building Permit Fees	0.00	4,089.79	20,000.00	8,052.30	59.74%
100-0000-00-322120	Zoning Request Fees	0.00	150.00	1,000.00	150.00	85.00%
100-0000-00-322140	Sign Permits	0.00	180.00	1,000.00	405.00	59.50%
100-0000-00-322150	Soil/Erosion Permits	0.00	0.00	100.00	0.00	100.00%
100-0000-00-322902	Special Event Alcohol Fee	0.00	0.00	300.00	0.00	100.00%
100-0000-00-323100	Business License Penalty	0.00	100.00	500.00	175.00	65.00%
100-0000-00-333000	Housing Authority Pilot	0.00	0.00	26,000.00	0.00	100.00%
100-0000-00-341400	Printing/Copying Fees	0.00	0.00	100.00	0.00	100.00%
100-0000-00-342120	Police-Accident Reports	0.00	75.00	700.00	217.78	68.89%
100-0000-00-342125	Criminal Records Check	0.00	0.00	250.00	0.00	100.00%
100-0000-00-351170	Municipal Court Fines	0.00	10,199.95	200,000.00	29,474.00	85.26%
100-0000-00-351172	Parking Tickets	0.00	25.00	100.00	125.00	(25.00%)
100-0000-00-351173	Technology Surcharge	0.00	319.05	0.00	1,184.00	0.00%
100-0000-00-361000	Interest Income	0.00	0.00	1,000.00	146.36	85.36%
100-0000-00-389000	Misc Income	0.00	11.00	1,000.00	3,942.03	(294.20%)
100-0000-00-392100	Sale of Fixed Assets	0.00	0.00	2,500.00	0.00	100.00%
Total General Fund Revenues		\$ 0.00	\$ 177,742.21	\$ 2,149,632.35	\$ 815,334.12	62.07%

City of Ellijay
Statement of Revenue and Expenditures
Revised Budget
For General Fund (100)
For the Fiscal Period 2022-3 Ending March 31, 2022

Account Number		Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
Expenditures						
100-1100-11-511100	Salaries	\$ 0.00	\$ 3,750.00	\$ 18,000.00	\$ 5,000.00	72.22%
100-1100-11-512200	FICA	0.00	286.85	1,377.00	382.50	72.22%
100-1100-11-523500	Travel Expense	0.00	0.00	9,000.00	0.00	100.00%
100-1100-11-523700	Education & Training	0.00	0.00	3,000.00	0.00	100.00%
100-1500-15-511100	Salaries	0.00	18,326.46	150,000.00	42,211.75	71.86%
100-1500-15-511101	Compensation-Planning and Z	0.00	0.00	1,500.00	0.00	100.00%
100-1500-15-512100	Group Insurance	0.00	2,461.80	28,000.00	2,461.80	91.21%
100-1500-15-512101	City Match Retirement	0.00	0.00	1,130.00	0.00	100.00%
100-1500-15-512200	FICA	0.00	1,364.50	11,475.00	3,141.78	72.62%
100-1500-15-512400	GMEBS	0.00	0.00	53,000.00	0.00	100.00%
100-1500-15-512700	Workers Comp Ins.	0.00	2,010.00	26,000.00	2,010.00	92.27%
100-1500-15-521100	Accounting & Audit Expense	0.00	0.00	12,500.00	0.00	100.00%
100-1500-15-521210	Legal Services	0.00	0.00	6,000.00	0.00	100.00%
100-1500-15-521302	Contract Services-USTI & TBS	0.00	0.00	7,500.00	0.00	100.00%
100-1500-15-521320	City Website Maintenance	0.00	45.00	1,000.00	45.00	95.50%
100-1500-15-521514	Fi Fa Filing Fees	0.00	0.00	100.00	0.00	100.00%
100-1500-15-522110	Sanitation Collection	0.00	0.00	1,200.00	0.00	100.00%
100-1500-15-522200	Repairs and Maintenance	0.00	0.00	4,000.00	0.00	100.00%
100-1500-15-522210	Vehicle Repairs and Maintena	0.00	0.00	500.00	0.00	100.00%
100-1500-15-522211	Equip-Repairs and Maintenanc	0.00	217.00	500.00	217.00	56.60%
100-1500-15-523100	Property & Liability Insurance	0.00	3,522.50	14,090.00	3,522.50	75.00%
100-1500-15-523200	Telephone Expense	0.00	937.67	10,500.00	937.67	91.07%
100-1500-15-523300	Advertising	0.00	36.25	1,500.00	36.25	97.58%
100-1500-15-523500	Travel Expenses	0.00	0.00	6,000.00	0.00	100.00%
100-1500-15-523600	Dues,Fees & Subscriptions	0.00	0.00	2,000.00	0.00	100.00%
100-1500-15-523700	Education & Training	0.00	375.00	6,000.00	375.00	93.75%
100-1500-15-523850	Contracted Labor	0.00	0.00	1,000.00	0.00	100.00%
100-1500-15-531100	Office/Operating Supplies	0.00	411.03	14,000.00	411.03	97.06%
100-1500-15-531110	Tires & Tubes	0.00	0.00	500.00	0.00	100.00%
100-1500-15-531130	Postage	0.00	37.99	2,200.00	37.99	98.27%
100-1500-15-531190	Misc Expense	0.00	64.46	500.00	64.46	87.11%
100-1500-15-531210	Water,Sewer & Garbage Expe	0.00	306.32	3,000.00	306.32	89.79%
100-1500-15-531220	Natural Gas Expense	0.00	0.00	4,500.00	0.00	100.00%
100-1500-15-531230	Electric Expense	0.00	0.00	14,000.00	0.00	100.00%
100-1500-15-531270	Vehicle Gas Expense	0.00	0.00	500.00	0.00	100.00%
100-1500-15-531700	Other Supplies	0.00	18.74	500.00	18.74	96.25%
100-1500-15-533400	City Code Book Supplement	0.00	0.00	4,000.00	0.00	100.00%
100-1500-15-542200	Vehicle Purchases	0.00	0.00	16,000.00	0.00	100.00%
100-1500-15-542300	Furniture & Fixtures	0.00	0.00	500.00	0.00	100.00%
100-1500-15-542400	Computer Equipment	0.00	0.00	1,000.00	0.00	100.00%
100-1500-15-543201	Leased Equipment	0.00	150.54	2,200.00	150.54	93.16%
100-1500-15-543210	Payroll Administrative Fee	0.00	479.60	3,700.00	1,085.63	70.66%
100-1500-15-571000	Intergovernmental Payments	0.00	15,000.00	15,000.00	15,000.00	0.00%
100-1500-15-571500	Intergovernmental Payments-	0.00	0.00	19,000.00	0.00	100.00%
100-1500-15-572000	Interagency Contributions	0.00	1,000.00	4,000.00	1,000.00	75.00%
100-1500-15-572100	Fees Paid to GMA	0.00	0.00	600.00	0.00	100.00%
100-1500-15-572200	fees Paid to NGRDC	0.00	0.00	2,000.00	0.00	100.00%

City of Ellijay
Statement of Revenue and Expenditures

Revised Budget
For General Fund (100)
For the Fiscal Period 2022-3 Ending March 31, 2022

Account Number		Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
100-1500-15-572500	Fees paid to Chamber of Com	0.00	0.00	9,500.00	0.00	100.00%
100-1500-15-579000	Contengencies	0.00	0.00	100,000.00	0.00	100.00%
100-1500-15-900000	Tax Refunds	0.00	0.00	500.00	0.00	100.00%
100-2650-26-511100	Salaries	0.00	500.00	0.00	500.00	0.00%
100-2650-26-521304	Contract Services - Court	0.00	312.00	12,000.00	312.00	97.40%
100-2650-26-571000	Monthly Fine Payments	0.00	0.00	40,000.00	0.00	100.00%
100-2650-26-571001	Detention Center Fine Paymen	0.00	0.00	10,000.00	0.00	100.00%
100-2650-26-572600	Fees paid to GA POA&B Fund	0.00	0.00	7,000.00	0.00	100.00%
100-3200-32-511100	Salaries	0.00	53,158.18	564,463.23	133,415.82	76.36%
100-3200-32-512100	Group Insurance	0.00	5,734.04	120,000.00	5,734.04	95.22%
100-3200-32-512200	FICA	0.00	3,954.72	43,152.88	9,907.09	77.04%
100-3200-32-512402	Peace Officers Retirement	0.00	0.00	3,300.00	0.00	100.00%
100-3200-32-522200	Repairs and Maintenance	0.00	0.00	1,000.00	0.00	100.00%
100-3200-32-522210	Vehicle Repairs and Maintena	0.00	49.25	11,000.00	49.25	99.55%
100-3200-32-523100	Property/Liability Ins	0.00	5,315.00	21,260.00	5,315.00	75.00%
100-3200-32-523200	Telephone Expense	0.00	1,098.96	9,500.00	1,098.96	88.43%
100-3200-32-523500	Travel expenses	0.00	0.00	1,300.00	0.00	100.00%
100-3200-32-523600	Dues,Fees and Subscriptions	0.00	0.00	500.00	0.00	100.00%
100-3200-32-523700	Education & Training	0.00	0.00	1,500.00	0.00	100.00%
100-3200-32-531100	Office/Operating Supplies	0.00	9.98	5,000.00	9.98	99.80%
100-3200-32-531110	Tires and Tubes	0.00	106.00	5,000.00	106.00	97.88%
100-3200-32-531190	Misc. Expense	0.00	0.00	100.00	0.00	100.00%
100-3200-32-531210	Water,Sewer & Garbage Expe	0.00	26.04	600.00	26.04	95.66%
100-3200-32-531220	Natural Gas Expense	0.00	141.92	1,500.00	141.92	90.54%
100-3200-32-531230	Electric Expense	0.00	0.00	4,500.00	0.00	100.00%
100-3200-32-531270	Vehicle Gas Expense	0.00	0.00	27,000.00	0.00	100.00%
100-3200-32-531335	Uniforms	0.00	0.00	3,000.00	0.00	100.00%
100-3200-32-531700	Other Supplies	0.00	0.00	6,900.00	0.00	100.00%
100-3200-32-542200	Vehicle Purchases	0.00	0.00	60,000.00	0.00	100.00%
100-3200-32-542300	Furniture & Fixtures	0.00	0.00	500.00	0.00	100.00%
100-3200-32-542400	Computer Equipment	0.00	0.00	500.00	0.00	100.00%
100-3200-32-542500	Other Equipment	0.00	0.00	500.00	0.00	100.00%
100-3200-32-543201	Leased Equipment	0.00	83.03	750.00	83.03	88.93%
100-3200-32-543210	Contracted Fee	0.00	0.00	2,750.00	0.00	100.00%
100-3500-35-511100	Salaries	0.00	31,348.26	312,253.28	75,196.23	75.92%
100-3500-35-512100	Group Insurance	0.00	3,550.46	58,300.00	3,550.46	93.91%
100-3500-35-512200	FICA	0.00	2,221.38	23,887.38	5,340.04	77.64%
100-3500-35-512403	Firefighters Pension Fund	0.00	0.00	900.00	0.00	100.00%
100-3500-35-512404	Firefighter's Cancer Ins	0.00	0.00	1,500.00	0.00	100.00%
100-3500-35-522200	Repairs and Maintenance	0.00	0.00	2,000.00	0.00	100.00%
100-3500-35-522210	Vehicle Repairs and Maintena	0.00	445.93	7,500.00	445.93	94.05%
100-3500-35-522211	Equip-Repairs and Maintenanc	0.00	0.00	8,000.00	0.00	100.00%
100-3500-35-523100	Property/Liability Ins.	0.00	1,811.25	7,245.00	1,811.25	75.00%
100-3500-35-523200	Telephone Expense	0.00	654.20	4,000.00	654.20	83.65%
100-3500-35-523500	Travel Expenses	0.00	0.00	1,500.00	0.00	100.00%
100-3500-35-523600	Dues,Fees & Subscriptions	0.00	0.00	500.00	0.00	100.00%
100-3500-35-523700	Education & Training	0.00	0.00	1,000.00	0.00	100.00%
100-3500-35-531100	Office Supplies	0.00	0.00	1,500.00	0.00	100.00%
100-3500-35-531106	First Responder Supplies	0.00	0.00	1,500.00	0.00	100.00%

City of Ellijay
Statement of Revenue and Expenditures
 Revised Budget
 For General Fund (100)
 For the Fiscal Period 2022-3 Ending March 31, 2022

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
100-3500-35-531110 Tires and Tubes	0.00	0.00	1,500.00	0.00	100.00%
100-3500-35-531135 Fire Safety Education Supplies	0.00	0.00	1,000.00	0.00	100.00%
100-3500-35-531210 Water, Sewer & Garbage Expe	0.00	61.03	700.00	61.03	91.28%
100-3500-35-531220 Natural Gas Expense	0.00	141.92	2,000.00	141.92	92.90%
100-3500-35-531230 Electric Expense	0.00	0.00	4,500.00	0.00	100.00%
100-3500-35-531270 Vehicle Gas Expense	0.00	0.00	5,000.00	0.00	100.00%
100-3500-35-531335 Uniforms	0.00	0.00	3,000.00	0.00	100.00%
100-3500-35-531336 Turn Out Gear	0.00	0.00	6,000.00	0.00	100.00%
100-3500-35-531700 Radios and Pagers	0.00	0.00	3,000.00	0.00	100.00%
100-3500-35-542300 Furniture & Fixtures	0.00	0.00	1,000.00	0.00	100.00%
100-3500-35-542400 Computer Equipment	0.00	364.25	500.00	364.25	27.15%
100-3500-35-543201 Leased Equipment	0.00	83.03	750.00	83.03	88.93%
100-4200-42-511100 Salaries	0.00	20,122.56	168,958.40	47,846.35	71.68%
100-4200-42-512100 Group Insurance	0.00	2,731.49	41,310.00	2,731.49	93.39%
100-4200-42-512200 FICA	0.00	1,477.47	12,925.32	3,515.81	72.80%
100-4200-42-522200 Repairs and Maintenance	0.00	0.00	10,000.00	0.00	100.00%
100-4200-42-522210 Vehicle Repairs and Maintena	0.00	0.00	5,000.00	0.00	100.00%
100-4200-42-522211 Equip-Repairs and Maintenanc	0.00	0.00	5,000.00	0.00	100.00%
100-4200-42-523100 Property/Liability Ins.	0.00	676.25	2,711.00	676.25	75.06%
100-4200-42-523200 Telephone Expense	0.00	0.00	700.00	0.00	100.00%
100-4200-42-523700 Education & Training	0.00	0.00	250.00	0.00	100.00%
100-4200-42-523850 Contracted Labor	0.00	0.00	5,000.00	0.00	100.00%
100-4200-42-524260 Street Lights	0.00	979.28	64,000.00	979.28	98.47%
100-4200-42-531100 Operating Supplies	0.00	636.63	3,000.00	636.63	78.78%
100-4200-42-531103 Xmas Lights/Banners	0.00	0.00	1,000.00	0.00	100.00%
100-4200-42-531110 Tires and Tubes	0.00	0.00	1,000.00	0.00	100.00%
100-4200-42-531230 Electric Expense	0.00	0.00	700.00	0.00	100.00%
100-4200-42-531270 Vehicle Gas Expense	0.00	0.00	4,500.00	0.00	100.00%
100-4200-42-531335 Uniforms	0.00	0.00	3,000.00	0.00	100.00%
100-4200-42-534221 Street Maintenance	0.00	0.00	2,000.00	0.00	100.00%
100-4200-42-542200 Vehicle Purchases	0.00	0.00	30,000.00	0.00	100.00%
100-6200-62-620000 City Park Expense	0.00	190.00	0.00	190.00	0.00%
Total General Fund Expenditures	\$ 0.00	\$ 188,786.22	\$ 2,380,738.49	\$ 379,339.24	84.07%
General Fund Excess of Revenues Over Expenditures	\$ 0.00	\$ (11,044.01)	\$ (231,106.14)	\$ 435,994.88	288.66%

City of Ellijay
Statement of Revenue and Expenditures
 Revised Budget
 For Downtown Development Authority (160)
 For the Fiscal Period 2022-3 Ending March 31, 2022

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
Revenues					
160-0000-00-361000 Interest Income	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.59	0.00%
Total Downtown Development Authority Revenues	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.59	0.00%
Expenditures					
160-1600-16-523300 Advertising	\$ 0.00	\$ 275.00	\$ 0.00	\$ 275.00	0.00%
Total Downtown Development Authority Expenditures	\$ 0.00	\$ 275.00	\$ 0.00	\$ 275.00	0.00%
Downtown Development Authority Excess of Revenues	\$ 0.00	\$ (275.00)	\$ 0.00	\$ (274.41)	0.00%

City of Ellijay
Statement of Revenue and Expenditures
Revised Budget
For Confiscated Assets-Police (210)
For the Fiscal Period 2022-3 Ending March 31, 2022

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
Revenues					
210-0000-00-361000 Interest Income	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.06	0.00%
Total Confiscated Assets-Police Revenues	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.06	0.00%
Confiscated Assets-Police Excess of Revenues Over Ex \$	0.00	0.00	0.00	0.06	0.00%

City of Ellijay
Statement of Revenue and Expenditures
Revised Budget
For Bond Escrow Account (220)
For the Fiscal Period 2022-3 Ending March 31, 2022

Account Number		Current Budget		Current Actual		Annual Budget		YTD Actual		Remaining Budget %
Revenues										
220-0000-00-313100	Cash Bonds	\$	0.00	\$	0.00	\$	50,000.00	\$	3,722.00	92.56%
220-0000-00-361000	Interest Income		0.00		0.00		0.00		1.27	0.00%
Total Bond Escrow Account Revenues		\$	0.00	\$	0.00	\$	50,000.00	\$	3,723.27	92.55%
Expenditures										
220-2200-22-613000	Bond-transfer to fine payment	\$	0.00	\$	0.00	\$	50,000.00	\$	0.00	100.00%
Total Bond Escrow Account Expenditures		\$	0.00	\$	0.00	\$	50,000.00	\$	0.00	100.00%
Bond Escrow Account Excess of Revenues Over Expen										
		\$	0.00	\$	0.00	\$	0.00	\$	3,723.27	0.00%

City of Ellijay
Statement of Revenue and Expenditures
Revised Budget
For Automobile Reserve (230)
For the Fiscal Period 2022-3 Ending March 31, 2022

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
Revenues					
230-0000-00-361000 Interest Income	\$ 0.00	\$ 0.00	\$ 0.00	\$ 1.12	0.00%
Total Automobile Reserve Revenues	\$ 0.00	\$ 0.00	\$ 0.00	\$ 1.12	0.00%
Automobile Reserve Excess of Revenues Over Expendit \$	0.00	\$ 0.00	\$ 0.00	\$ 1.12	0.00%

City of Ellijay
Statement of Revenue and Expenditures
Revised Budget
For Technology Surcharge Fund (240)
For the Fiscal Period 2022-3 Ending March 31, 2022

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
Revenues					
240-0000-00-361000 Interest Income	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.95	0.00%
Total Technology Surcharge Fund Revenues	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.95	0.00%
Technology Surcharge Fund Excess of Revenues Over	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.95	0.00%

City of Ellijay
Statement of Revenue and Expenditures
 Revised Budget
 For Multiple Grant Fund (250)
 For the Fiscal Period 2022-3 Ending March 31, 2022

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
Revenues					
250-0000-00-361000 Interest Income	\$ 0.00	\$ 0.00	\$ 0.00	\$ 11.28	0.00%
Total Multiple Grant Fund Revenues	\$ 0.00	\$ 0.00	\$ 0.00	\$ 11.28	0.00%
Multiple Grant Fund Excess of Revenues Over Expendit \$	0.00	\$ 0.00	\$ 0.00	11.28	0.00%

City of Ellijay
Statement of Revenue and Expenditures

Revised Budget
For Hotel/Motel Fund (275)
For the Fiscal Period 2022-3 Ending March 31, 2022

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
Revenues					
275-0000-00-314100 Hotel/Motel Tax	\$ 0.00	\$ 1,952.68	\$ 18,000.00	\$ 6,776.94	62.35%
275-0000-00-361000 Interest Income	0.00	0.00	0.00	4.46	0.00%
Total Hotel/Motel Fund Revenues	\$ 0.00	\$ 1,952.68	\$ 18,000.00	\$ 6,781.40	62.33%
Expenditures					
275-1500-15-572500 Fees paid to Chamber of Com	\$ 0.00	\$ 0.00	\$ 9,500.00	\$ 0.00	100.00%
275-2750-27-531102 Fireworks	0.00	0.00	8,500.00	0.00	100.00%
Total Hotel/Motel Fund Expenditures	\$ 0.00	\$ 0.00	\$ 18,000.00	\$ 0.00	100.00%
Hotel/Motel Fund Excess of Revenues Over Expenditure	\$ 0.00	\$ 1,952.68	\$ 0.00	\$ 6,781.40	0.00%

City of Ellijay
Statement of Revenue and Expenditures

Revised Budget
For Cemetery Fund (276)
For the Fiscal Period 2022-3 Ending March 31, 2022

Account Number		Current Budget		Current Actual		Annual Budget		YTD Actual		Remaining Budget %
Revenues										
276-0000-00-349100	Sale of Cemetery Lots	\$	0.00	\$	750.00	\$	5,000.00	\$	1,500.00	70.00%
276-0000-00-361000	Interest Income		0.00		0.00		0.00		5.13	0.00%
Total Cemetery Fund Revenues		\$	0.00	\$	750.00	\$	5,000.00	\$	1,505.13	69.90%
Expenditures										
276-2760-28-531190	Misc Expense	\$	0.00	\$	0.00	\$	5,000.00	\$	0.00	100.00%
Total Cemetery Fund Expenditures		\$	0.00	\$	0.00	\$	5,000.00	\$	0.00	100.00%
Cemetery Fund Excess of Revenues Over Expenditures										
		\$	0.00	\$	750.00	\$	0.00	\$	1,505.13	0.00%

City of Ellijay
Statement of Revenue and Expenditures

Revised Budget
For SPLOST (321)
For the Fiscal Period 2022-3 Ending March 31, 2022

Account Number		Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
Revenues						
321-0000-00-313100	Special Local Option Sales Ta	\$ 0.00	\$ 33,482.95	\$ 350,000.00	\$ 107,813.36	69.20%
321-0000-00-361000	Interest Income	0.00	0.00	0.00	73.47	0.00%
Total SPLOST Revenues		\$ 0.00	\$ 33,482.95	\$ 350,000.00	\$ 107,886.83	69.18%
Expenditures						
321-4200-42-534221	Street Maintenance	\$ 0.00	\$ 0.00	\$ 200,000.00	\$ 0.00	100.00%
321-4200-42-541204	Streetscape Phase V	0.00	4,641.30	0.00	4,641.30	0.00%
321-4200-42-541225	Parks & Recreation	0.00	13,507.14	80,000.00	13,507.14	83.12%
321-4200-42-541305	LMIG-2019	0.00	0.00	50,000.00	0.00	100.00%
321-4200-42-542500	Capital Equipment	0.00	0.00	20,000.00	0.00	100.00%
Total SPLOST Expenditures		\$ 0.00	\$ 18,148.44	\$ 350,000.00	\$ 18,148.44	94.81%
SPLOST Excess of Revenues Over Expenditures		\$ 0.00	\$ 15,334.51	\$ 0.00	\$ 89,738.39	0.00%

City of Ellijay
Statement of Revenue and Expenditures
Revised Budget

For the Fiscal Period 2022-3 Ending March 31, 2022

Account Number		Current Budget		Current Actual		Annual Budget		YTD Actual		Remaining Budget %
Total Revenues	\$	0.00	\$	213,927.84	\$	2,572,632.35	\$	935,244.75		63.65%
Total Expenditures	\$	0.00	\$	207,209.66	\$	2,803,738.49	\$	397,762.68		85.81%
Total Excess of Revenues Over Expenditures	\$	0.00	\$	6,718.18	\$	(231,106.14)	\$	537,482.07		332.57%

	CITATIONS			WARNINGS			CALLS FOR SERVICE			MILES DRIVEN		
	Last Mo.	Last Yr.	This Mo.	Last Mo.	Last Yr.	This Mo.	Last Mo.	Last Yr.	This Mo.	Last Mo.	Last Yr.	This Mo.
Chief Lacey	0	0	1	0	0	4	1	0	2	483	323	525
Capt. Grace	0	0	0	1	3	0	3	2	2	853	786	993
Officer Chastain	0	0	4	4	30	3	8	14	12	795	748	961
Officer T. McClure	3	18	13	21	66	30	15	4	23	1183	1259	1769
Officer McArthur	2	5	0	2	8	3	7	6	5	687	540	291
Officer Lowery	3	3	0	1	9	0	5	12	3	665	798	419
Officer Colburn	0	0	0	0	0	0	2	1	2	739	736	689
Officer Hill		0	48		0	68		0	12	2000	0	1950
Totals	12	48	66	30	186	108	48	62	61	5911	7539	7597

> Officer Lowery resignation effective first week of April.

> Ofc. Kaleb Hensley completed the Academy on March 25th.

> Ofc. Helsely completed Crisis Intervention Team certification on April 1st.

> Ofc. Justin Morris hired April 1st.

> Both officers began Field Training Program on April 4th and expected release to full solo duty is July 11th

> Staffing: One vacant and two ineffective positions (until July 11th)

	Last Mo.	Last Yr.	This Mo.	Difference
GSP Citations	7	0	18	18
Accidents Worked	7	29	16	-13
Accidents TOT GSP	2	12	1	-11
Mutual Aid	4	0	1	1

ELLIJAY FIRE MONTHLY REPORT			
01/01/22 - 01/31/22			
	TOTAL		COMMENTS
EMS CALLS	35		
MOTOR VEHICLE ACCIDENTS	4		
LANDING ZONES	0		
STRUCTURE FIRES	0		
VEHICLE FIRES	1		
BRUSH/GRASS FIRES	2		
FIRE ALARMS	1		
SMOKE INVESTIGATIONS	0		
ILLEGAL BURNS	1		
HAZ_MAT	1		
AUTOMATIC AID	0		ALREADY IN TOTAL
MUTUAL AID	0		ALREADY IN TOTAL
SERVICE CALLS	0		
TREE DOWN CALLS	1		
OTHER CALLS	4		
BLOOD DRAW	1		
TOTAL FOR MARCH	51		



GILMER COUNTY BOARD OF COMMISSIONERS

***Charlie Paris, Chairman
Hubert Parker, Post 1 Commissioner
Karleen Ferguson, Post 2 Commissioner***

***Edwina Daman, County Clerk
David Clark, County Attorney
Sandi Holden, CFO***

March 29, 2022

Honorable Mayor Al Hoyle
City of Ellijay
197 N. Main Street
Ellijay, GA 30540

Re: Local Option Sales Tax Negotiations Response

Dear Mayor Hoyle,

The Gilmer County Board of Commissioners wishes to acknowledge, and express our appreciation for, the professional and beneficial working relationship shared with the city of Ellijay. It has been our policy to do all that we can to be a valuable partner to the city, and we have seen that the city shares that same goal when working with the county.

It is our belief that the citizens of Ellijay, and of unincorporated Gilmer County are well served by a beneficial working relationship, and we want to foster such an environment.

With that in mind, we accept your offer of a renegotiated LOST distribution rate of 17% for the City of Ellijay and 10% for the City of East Ellijay. The Board of Commissioners has approved these rates already. Please let us know when there is final approval from the City Council and Mayor.

Sincerely,

A handwritten signature in dark ink, appearing to read "Charlie Paris".

Charlie Paris
Chairman, Gilmer County Board of Commissioners

Cc: Hubert Parker and Karleen Ferguson, Post Commissioners
Sandi Holden, CFO
Edwina Daman, County Clerk
David Clark, County Attorney

Al Hoyle, Mayor
Amy Crump, City Clerk



COUNCIL MEMBERS:
Tom Crawford Al Fuller
Kathryn Lancey Sandy Ott
Kevin Pritchett

CITY OF ELLIJAY
Georgia's Apple Capital
Special Event Permit Application
(alcohol)

Dining with Fireflies

APPLICANT INFORMATION:

Applicant Name: Linda H Lancaster / Director - Friends of Harrison Park
Applicant's Address: 263 Tanager Trail City: Ellijay State: GA Zip: 30536
Cell #: 404-713-5641 Office #: NA email: director@harrisonparkellijay.com
Name of Business/Organization: Friends of Harrison Park
Address: PO Box 876 City: Ellijay State: GA Zip: 30540
Cell #: 404-713-5641 Office #: NA email: samezaboe
director@harrisonparkellijay.com

LOCATION OF EVENT:

Contact Person at Location: Linda Lancaster
Location Name: Harrison Park
Location Address: McCutchen St Phone#: 404-713-5641
City: Ellijay State: GA Zip: 30540 Fax#: NA

EVENT TIMING: Date: June 4, 2022 Time: Start: 6:00 a.m. / (p.m.) End: 9:30 a.m. / (p.m.)

ATTACH A COPY OF ALL:

☐ Current On-Premise or Off-Premise Alcohol License ☒ DOR Special Event Permit ☐ Certificate of Liability Insurance

THIS APPLICATION MUST BE RECEIVED IN TIME TO PLACE ON THE COUNCIL AGENDA PRIOR TO APPROVAL

OATH:

I, Linda Lancaster, do solemnly swear, subject to the penalties of false swearing, that the information contained in this application is true and correct; and that I am authorized to use the alcohol license referenced with this application; and, the business to which the alcohol license is issued is catering the event outlined above. In addition, I agree to abide by the rules and regulations of the City of Ellijay Ordinance, Chapter 6, Division 4, and I understand that I must add the City of Ellijay as an additional insured on my liability insurance in the amount of \$1,000,000.00 for the date of this event.

DISTANCE REQUIREMENT: Section 6-73 of the City of Ellijay's Alcohol Ordinance requires that a distance of 100 yards from any church or alcohol treatment facility owned and operated by the state or any county or municipal government, or 200 yards from any school building or daycare facility be maintained.

NOTE: All laws and regulations relating to the sale of alcoholic beverages must be complied with. It is understood that the person named herein is in charge and responsible for event, and all officers of organization may be held liable and responsible for any violation of law or regulation. Georgia sales tax must be remitted to the state on all sales at this event. A State of Georgia Special Event Permit must be obtained from the Georgia Department of Revenue prior to event or this application/permit is null and void.

Linda Lancaster 3/17/2022
Applicant's Signature Date

Approval Signature

Date

Al Hoyle, Mayor
Amy Crump, City Clerk



COUNCIL MEMBERS:
Tom Crawford Al Fuller
Kathryn Lancey Sandy Ott
Kevin Pritchett

CITY OF ELLIJAY
Georgia's Apple Capital
Special Event Permit Application
(alcohol)

APPLICANT INFORMATION:

Applicant Name: Marcelo Sandrini / Ellijay Wood Fired
Applicant's Address: 2 River St. Ellijay City: GA State: GA Zip: 30540
Cell #: 954 663 9595 Office #: 706 702 4992 email: marcelo sandrini

Name of Business/Organization: Ellijay Wood Fired
Address: 2 River St. City: Ellijay State: GA Zip: 30540
Cell #: 954 663 9595 Office #: 706 702 4992 email: marcelo@ellijaywoodfired.com

LOCATION OF EVENT:

Contact Person at Location: Ferrel Sturgeon
Location Name: White path Creek Farms
Location Address: 1211 old Northcutt dr Phone#: 954 663 9595
City: Ellijay GA 30540 State: GA Zip: 30540 Fax#

EVENT TIMING: Date: May 7th Time: Start: 5 a.m. (p.m.) End: 10 a.m. (p.m.)

ATTACH A COPY OF ALL:

☒ Current On-Premise or Off-Premise Alcohol License ☐ DOR Special Event Permit ☒ Certificate of Liability Insurance

THIS APPLICATION MUST BE RECEIVED IN TIME TO PLACE ON THE COUNCIL AGENDA PRIOR TO APPROVAL

OATH:

I, Marcelo Sandrini, do solemnly swear, subject to the penalties of false swearing, that the information contained in this application is true and correct; and that I am authorized to use the alcohol license referenced with this application; and, the business to which the alcohol license is issued is catering the event outlined above. In addition, I agree to abide by the rules and regulations of the City of Ellijay Ordinance, Chapter 6, Division 4, and I understand that I must add the City of Ellijay as an additional insured on my liability insurance in the amount of \$1,000,000.00 for the date of this event.

DISTANCE REQUIREMENT: Section 6-73 of the City of Ellijay's Alcohol Ordinance requires that a distance of 100 yards from any church or alcohol treatment facility owned and operated by the state or any county or municipal government, or 200 yards from any school building or daycare facility be maintained.

NOTE: All laws and regulations relating to the sale of alcoholic beverages must be complied with. It is understood that the person named herein is in charge and responsible for event, and all officers of organization may be held liable and responsible for any violation of law or regulation. Georgia sales tax must be remitted to the state on all sales at this event. A State of Georgia Special Event Permit must be obtained from the Georgia Department of Revenue prior to event or this application/permit is null and void.

Applicant's Signature

Date 4/11/22 Approval Signature

Date

CITY OF ELLIJAY
STATE OF GEORGIA

ORDINANCE NO. _____

AMENDMENT TO CODE OF ORDINANCES

CITY OF ELLIJAY, GEORGIA

A RESOLUTION AND ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ELLIJAY, GEORGIA, IN ORDER TO AMEND CHAPTER 6, ARTICLES II FOR THE PURPOSES OF AMENDING THE ALCOHOLIC BEVERAGES PROVISIONS IN ORDER TO BETTER PROTECT AND IMPROVE THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY OF ELLIJAY, GEORGIA.

WHEREAS, the duly elected governing authority of the City of Ellijay, Georgia is authorized under Article 9, Section 2, Paragraph 3 of the Constitution of the State of Georgia to adopt reasonable ordinances to protect and improve the public health, safety, welfare and aesthetics of the citizens of the City of Ellijay, Georgia; and,

WHEREAS, The Mayor and Council of the City of Ellijay have previously adopted the Code of Ordinances, City of Ellijay, Georgia; and,

WHEREAS, the City of Ellijay desires to amend its Code of Ordinances to amend the Alcoholic Beverages provisions of Chapter 6;

WHEREAS, it is requisite and proper for the security, welfare, health, and safety of the citizens of the City of Ellijay, Georgia, that the following provisions be adopted and authorized; and,

WHEREAS, the Mayor and Council of the City of Ellijay wish to modify and amend the Code of Ordinances;

NOW, THEREFORE, BE IT RESOLVED AND ORDAINED by the City Council of Ellijay, Georgia, and the council of the City of Ellijay hereby ordains that:

SECTION 1

Article III, Chapter 6 of the Code of Ordinances of the City of Ellijay, Georgia shall be amended as follows:

ARTICLE III, Division 2 of Chapter 6 of the Code of Ordinances of the City of Ellijay, Georgia shall have the following inserted:

Sec. 6-136. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Additionally, all definitions included in Chapter 6 of the Code of Ordinances of the City of Ellijay shall be included by reference:

Retail package liquor store means sales of distilled spirits, malt beverages or wine packaged to go and not for consumption on the sales premises.

Distilled spirits means any alcoholic beverage obtained by distillation or containing more than 21 percent alcohol by volume, including, but not limited to, all fortified wines.

Election day means a period beginning one hour before the election polls open and ending one hour after the polls close.

Permanent structure means any structure having the quality of construction and intended use so as to indicate its having a useful life in excess of one year from the date of its erection.

Premises means the space or area owned, leased or controlled by the licensee and used by him for the purpose of operating under the license. It shall be limited to one location for each license, and there shall be a separate license for each premises outlet.

Resident means a person whose primary residence is within the territorial limits of the county although not necessarily domiciled within the city.

Retail license means a license issued to a sole proprietorship, partnership or corporation engaged in the sale of distilled spirits to go and not for consumption on the sales premises.

Retail package means sales of distilled spirits packaged to go and not for consumption on the sales premises.

Sanctuary means the primary structure located upon the grounds of any church property in which persons regularly assemble for religious worship.

Wholesale license means a license issued to a sole proprietorship, partnership or corporation engaged in the sale of distilled spirits on a large-scale basis, whose primary market is in direct sales to individual retailers and who does no sales to the general public within the city limits.

Sec. 6-137. Retail Package Liquor Store.

(a) No individual shall be permitted to own or operate a retail package liquor store without first obtaining a proper retail package liquor store license from the City of Ellijay. Each retail

package liquor store licensee shall comply with City Code, adopted codes, rules and regulations of the City and applicable State law and requirements.

Sec 6-138. License for retail sale of package distilled spirits.

(a) In addition to the requirements of this chapter, a license for the retail sale of package distilled spirits upon the terms and conditions provided in this article shall be granted by the City Council and evidenced by a written approval executed by the majority of the members of the City Council. Upon the compliance with the foregoing provision and at the direction of the City Council, The Mayor or his/her designee shall issue a license.

Sec. 6-139. Hours of sale.

(a) Retail package licensees shall not engage in the sale of distilled spirits except between the hours of 6:00 a.m. and 12:00 a.m. (midnight), Monday through Saturday, and 12:30 p.m. until 11:30 p.m. on Sundays. The hours within which business may be carried on shall be determined by the standard time in force at the time of the sale thereof.

(b) Retail package distilled spirits shall not be sold at any time in violation of any local ordinance or regulations or of any special order of the governing authority.

Sec. 6-140. Consumption prohibited.

It shall be unlawful for any person to consume any alcoholic beverage on a premises licensed for the sale of package distilled spirits. For the purpose of this section, the term "premises" shall include the parking area immediately adjoining the premises licensed for the sale of package distilled spirits and available for the use of the customers of the licensed premises, whether or not the same are owned or leased by the licensed holder. It shall be unlawful for any licensee to permit the consumption of alcoholic beverages on said premises or to sell unsealed (broken) package distilled spirits.

Sec. 6-141. Use of tags or labels to indicate prices.

Retailers shall indicate plainly by tags or labels on the bottles or containers or on the shelf immediately below where the containers are placed the prices of all distilled spirits exposed or offered for sale.

Sec. 6-142. Window obstruction.

All glass surfaces forming the exterior walls of the premises shall remain unobstructed and shall provide a clear line of sight into the interior of the premises that is licensed to sell package distilled spirits and no signs, window coverings, or other material shall be placed on or within ten feet of any exterior glass surfaces, except as follows:

(1) One "open" sign which includes business hours of operation, and which may be illuminated, not to exceed 4 square feet in area: and

(2) The sign permitted in subsection (1) of this section and any additional signs on the property and premises shall also comply with all applicable provisions of Ellijay's Sign Ordinance, Site Planning and Project Design Standards,

Sec. 6-143. Licensing and Fees

(a) The applicant for a license under this division shall pay to the clerk of the city at the time of his application an annual license fee as fixed from time to time by the city.

(b) Applications requirements for a license under this article shall be the same as for On Premise Consumption Distilled Spirits Licenses.

(c) All rules, regulations and requirements included in Chapter 6, Article II, Division 2 and Chapter 6, Article III, Division 3 shall be included in this ordinance by reference.

Sec. 6-144. - Distance requirements.

(a) No distilled spirits shall be offered for sale or sold in an unopened package within one hundred (100) yards of any church building or within two hundred (200) yards of any school building, education building, school grounds or college campus.

(b) A new retail package liquor licensed place of business or the relocation of an existing retail package liquor licensed place of business engaged in the retail package sales of distilled spirits shall not be located within five hundred (500) yards of any other business licensed to sell package liquor at retail.

(c) The distance provided for herein shall not apply:

(1) To any premises or location where alcoholic beverages are being sold or dispensed in compliance with the other provisions of this chapter and a school or church is built or erected within the minimum distances provided for in this section.

(2) To any premises or location licensed as an importer, so long as the same is allowed by the state; provided, however, no signs or other forms of advertisement shall be placed on or near the licensed premises, which directly or indirectly advertise that alcoholic beverages are stored or warehoused on the premises.

(d) No distilled spirits shall be offered for sale or sold in an unopened package within one hundred (100) yards of an alcoholic treatment center owned and operated by this state or any county or municipal government.

Sec. 6-145. Sale of other merchandise.

(a) A licensee of a retail spirituous liquor establishment under this article shall not operate the business in connection with any other mercantile establishment, provided, this shall not prohibit a retail spirituous liquor licensee from operating in the same building complex with other businesses. No retail spirituous liquor licensee shall sell, offer for sale, display or keep in stock at his place of business where packaged spirituous liquors are offered for sale any other commodity except the following, all of which may be sold by the retailer at his option:

(1) Beverages containing no alcohol and commonly used to dilute distilled spirits;

(2) Wines and malt beverages, when properly licensed;

(3) Glasses, stirring sticks and similar paraphernalia commonly used in the consumption of alcoholic beverages;

- (4) Tobacco products; and
- (5) Packaged ice.

SECTION 2

The sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared illegal by the valid judgment or decree of any court of competent jurisdiction, such illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION 3

Penalties for a violation of current Code of Ordinances sections applicable to the amendment described herein in effect upon the adoption date of this ordinance are adopted herein as if completely set out herein.

SECTION 4

All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

SECTION 5

Nothing in this ordinance or in the ordinance hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as city in Section 4 herein; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 6

This Resolution and Ordinance shall become effective on March ___, 2022.

This Resolution and Ordinance is hereby adopted on this date, it being so ordained

This ___ day of March, 2022.

Al Hoyle, Mayor

ATTEST:

City Clerk

Al Fuller

Kathryn Lancey

Tom Crawford

Kevin Pritchett

Sandy Ott